

815 KAR 35:080. Code of ethics.

RELATES TO: KRS 227A.040(8), 227A.060, EO 2009-535

STATUTORY AUTHORITY: KRS 227A.040(8), EO 2009-535

NECESSITY, FUNCTION AND CONFORMITY: KRS 227A.040(8) authorizes the Office of Housing, Buildings and Construction to promulgate administrative regulations to establish a code of ethics for electrical contractors, electricians, and master electricians. EO 2009 535, effective June 12, 2009, reorganized the Office of Housing, Buildings and Construction as the Department of Housing, Buildings, and Construction, and established the commissioner, rather than executive director, as the head of the department. This administrative regulation establishes the code of ethics for electrical contractors, master electricians and electricians.

Section 1. Code of Ethics. The Department of Housing, Buildings and Construction may find that an applicant or licensee has violated the Electrical Code of Ethics and take disciplinary action against a licensee if it finds that an applicant or licensee:

- (1) Failed to have immediate personal possession of electrical license while performing electrical work;
- (2) Performed electrical work for which a permit is required without obtaining an electrical permit;
- (3) Knowingly performed electrical work not in compliance with the Kentucky Building Code, 815 KAR 7:120, or the Kentucky Residential Code, 815 KAR 7:125, and the electrical codes and standards incorporated by reference in those administrative regulations;
- (4) Intentionally charged a customer for work not performed or parts not provided;
- (5) Obtained electrical permits on behalf of an electrical contractor without the knowledge and permission of the electrical contractor;
- (6) Knowingly allowed a hazardous situation to remain so that the public is unduly exposed to risk of injury;
- (7) Impersonated another licensee, or allowed the use of his or her license by an unlicensed person;
- (8) Engaged in conduct intended to defraud or deceive the public;
- (9) Failed to display the license number on all advertising disseminated, either directly or indirectly, to the general public;
- (10) Failed to include the license number on letterhead or business cards;
- (11)(a) Utilized a company vehicle in the operation of an electrical business without displaying the name of the licensee or company and the licensee's Kentucky license number.
(b) All identification information shall be in letters not smaller than three (3) inches in height and shall be legible at all time;
- (12) Was convicted by a court of law of a felony involving moral turpitude, fraud, or deceit;
- (13) Is a chronic or persistent alcoholic or is drug-addicted so that continued performance of electrical work is dangerous to clients or the public;
- (14) Developed a physical or mental disability or other condition so that continued practice is dangerous to clients or to the public;
- (15) Had a license, certificate, registration, or other official authorization to perform electrical work denied, limited, suspended, probated, or revoked in another jurisdiction on grounds sufficient to cause an electrical license to be denied, limited, suspended, probated, or revoked in this state;
- (16) Attempted to use an expired, suspended, or revoked license;
- (17) Failed to exercise due care in the supervision of electrical work of licensed and unlicensed persons under his or her supervision; or

(18) Has not completed, in a timely manner, work agreed to be performed and paid for by a customer. (31 Ky.R. 1755; Am. 1978; eff. 7-1-2005; 36 Ky.R. 691; 1227; eff. 1-4-2010.)